

**Notice of Allowability**

Application No.

09/839,726

Examiner

Erin M. File

Applicant(s)

STRUHSAKER ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/16/2006.
2. ☒ The allowed claim(s) is/are 1-3,6-19, renumbered as claims 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**JEAN B. CORRIELLUS**  
**PRIMARY EXAMINER**

4-3-06

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel Venglarik on March 31, 2006.

The application has been amended as follows:

Specification, page 1, line 11, "Docket No. WEST14-00005" has been changed to -- 60/262,712--.

Specification, page 1, line 14, "Docket No. WEST14-00015" has been changed to -- 60/262,698--.

Specification, page 1, line 17, "Docket No. WEST14-00016" has been changed to -- 60/262,827--.

Specification, page 1, line 20, "Docket No. WEST14-00017" has been changed to -- 60/262,826--.

Specification, page 2, line 2, "Docket No. WEST14-00018" has been changed to -- 60/262,951--.

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Specification, page 2, line 5, "Docket No. WEST14-00019" has been changed to --  
60/262,824--.

Specification, page 2, line 8, "Docket No. WEST14-00020" has been changed to --  
60/263,101--.

Specification, page 2, line 12, "Docket No. WEST14-00021" has been changed to --  
60/263,097--.

Specification, page 2, line 15, "Docket No. WEST14-00022" has been changed to --  
60/273,579--.

Specification, page 2, line 19, "Docket No. WEST14-00023" has been changed to --  
60/262,955--.

Specification, page 2, line 21, "Docket No. WEST14-00024" has been changed to --  
60/262,708--.

Specification, page 3, line 2, "Docket No. WEST14-00026" has been changed to --  
60/273,689--.

Specification, page 3, line 4, "Docket No. WEST14-00027" has been changed to --  
60/273,757--.

Specification, page 3, line 8, "Docket No. WEST14-00028" has been changed to --  
60/270,378--.

Specification, page 3, line 11, "Docket No. WEST14-00029" has been changed to --  
60/270,385--.

Specification, page 3, line 15, "Docket No. WEST14-00030" has been changed to --  
60/270,430--.

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Specification, page 3, line 18, "Docket No. WEST14-00033" has been changed to –  
09/839,513--.

Claim 1, line 1, "Apparatus" has been changed to --An apparatus--.

Claim 1, line 10, "signal" has been changed to --signals--.

Claim 1, line 11, "signal" has been changed to --signals--.

6 (amended). An apparatus [Apparatus] for a communication station operable in a wireless communication system at least to receive first and second data signals successively transmitted thereto by a first subscriber station a second subscriber station, respectively, within a plurality of subscriber stations, the apparatus comprising:

- a first demodulator selectably coupled to receive the first data signals transmitted to the communication station;
- at least a second demodulator also selectably coupled to receive the second data signals transmitted to the communication station; and
- a controller, coupled to the first demodulator and to the at least second demodulator in a feedback arrangement, the controller alternately selecting the first data signals for application to the first demodulator and the second data signals for application to the second demodulator,

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wherein the first and at least second data signals transmitted to the communication station by the first and at least second subscriber stations are transmitted in bursts of selected time durations and wherein the controller further determines times of arrival and time directions of the bursts which form the data signals[.].

wherein the at least the second subscriber station comprises a plurality of subscriber stations and wherein said controller selectively applies the first and second data signals to the first and second demodulators according to a selected pattern by alternately coupling the first demodulator and the second demodulator to receive, selectably, the first and at least second data signals communicated by alternating ones of the plurality of subscriber stations.

Claim 7, line 10, "signal" has been changed to --signals--.

Claim 7, line 11, "signal" has been changed to --signals--.

Claim 10, line 1, "wherein the" has been changed to --wherein--.

2. The following is an examiner's statement of reasons for allowance:

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The limitation of first and second demodulators selectably coupled to receive first second data signals transmitted by a first subscriber station and a second subscriber station, and a controller selecting which of the first and second data signals, are applied to first and second demodulators, wherein the second subscriber station comprises a plurality of subscriber stations and the controller selects to which of said first demodulator and said second demodulator that the first and second data signals are applied according to a selected pattern is not found in the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin M. File whose telephone number is (571)272-6040. The examiner can normally be reached on M-F 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Erin M. File



4/3/2006



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PRIMARY EXAMINER  
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